

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Judy Hutar,

Court File No. 15-cv-02100 (MJD/BRT)

Plaintiff,

v.

Capital One Financial Corporation,  
d/b/a Capital One, Fifth Third Bank,  
Wells Fargo Bank N.A., Inc.,  
d/b/a Wells Fargo Dealer Services,  
JPMorgan Chase Bank, Regional  
Acceptance Corporation,  
City & County Credit Union, Exeter  
Finance Corporation, and Wilcox  
Automotive, LLC,

**ORDER ON EXETER FINANCE  
CORP.'S MOTION TO AMEND  
JUDGMENT TO ADD  
PREJUDGMENT INTEREST**

Defendants.

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Exeter Finance Corp.,

Cross-Claimant,

v.

Wilcox Automotive, LLC,

Cross-Defendant.

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Steven R. Kluz, Esq., and Todd M. Winter, Esq., Stoel Rives LLP, counsel for  
Cross-Claimant Exeter Finance Corp.

Gregory J. Johnson, Esq., G Johnson Law PLLC, counsel for Cross-Defendant  
Wilcox Automotive, LLC.

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The above-entitled matter came before the Court upon Cross-Claimant Exeter Finance Corp.'s ("Exeter") Motion to Amend Judgment to Add Prejudgment Interest.

On May 16, 2016, this Court entered judgment in favor of Exeter and against Wilcox in the amount of \$7,145.50. Exeter now seeks an order granting prejudgment interest on that amount pursuant to Minn. Stat. §549.09, subdiv. 1. This statute limits prejudgment interest to judgments in excess of the amount specified in Minn. Stat. §491A.01, which is \$15,000. Minn. Stat. § 540.09, subdiv. 1(b)(4). Accordingly, Exeter's motion for prejudgment interest is denied. Garlyn, Inc. v. Auto-Owners Ins. Co., 814 N.W.2d 709, 715 (Minn. Ct. App. 2012).

**IT IS HEREBY ORDERED** that Exeter's Motion to Amend Judgment to Add Prejudgment Interest [Doc. No. 121] is **DENIED**.

Dated: October 13, 2016

s/ Michael J. Davis

Michael J. Davis

United States District Court